

**From:** Megan Benett <Mbenett@kreindler.com>  
**Sent:** Monday, September 27, 2021 8:23 AM EDT  
**To:** Steven R. Pounian <Spounian@kreindler.com>  
**Subject:** RE: Kreindler Declaration 550p  
**Attachment(s):** "Kreindler Declaration.docx"

I had to add more in light of a few more emails – newest version is attached.

I have not heard back from Fawcett and JPK did not know about the privilege log. Should we all John together this morning?

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**From:** Steven R. Pounian  
**Sent:** Sunday, September 26, 2021 5:52 PM  
**To:** Megan Benett <Mbenett@kreindler.com>  
**Subject:** Kreindler Declaration 550p

I made few edits and added sentence re the emails. Not sure where things stand with privilege log question.

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001

03 MDL 1570 (GBD) (SN)

*This document relates to:*

All Actions

**DECLARATION OF JAMES KREINDLER**

I, James P. “Jim” Kreindler, pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury the following:

1. I am an attorney duly admitted to practice before this Court, a partner at Kreindler & Kreindler LLP (“Kreindler”) and co-chair of the Plaintiffs’ Executive Committee for Personal Injury and Wrongful Death Claims.

2. I am fully familiar with the history of this lawsuit and this Court’s inquiry into the Yahoo! News article published by Michael Isikoff on July 15, 2021.

3. On June 17, 2021 and June 18, 2021 I attended on Zoom the deposition of Kingdom of Saudi Arabia official Musaed al-Jarrah conducted by Kreindler partner Megan Benett.

4. I learned on July 15, 2021 that Yahoo! News investigative reporter Michael Isikoff had published an article in which he stated that he had obtained a copy of the transcript of the deposition of Jarrah. That morning, I discussed the Isikoff article with others at Kreindler working on the 9/11 litigation and, subsequently, in a conference call with other members of the Plaintiffs’ Executive Committees in this lawsuit.

5. I have no idea how Michael Isikoff obtained a copy of the Jarrah deposition.

6. My specific answers to the inquiry of this Court's Order, ECF No. 7082 at 1, (set forth in italics) are underscored below:

- *identify all communications with Michael Isikoff or anyone acting on his behalf, whether oral or written, from June 1, 2021, to August 1, 2021. Any written communication must be provided to the Court;*
  - I communicated with Michael Isikoff and his producer several times between June 1, 2021 and August 1, 2021. Those communications concerned my appearance along with former FBI Special Agent Ali Soufan on Isikoff's Conspiracyland podcast on July 1, 2021 and preparations in advance of the podcast (including forwarding a letter from Senators Blumenthal, Gillibrand and Menendez to the Department of Justice expressing their concern about the invocation of the "state secrets privilege" in the lawsuit brought by the 9/11 Families); and Kreindler's efforts to convince the Department of Justice to reverse its position regarding the state secrets privilege and its protective order that prevented the 9/11 Families and the public from accessing information developed during discovery; and a response to an article Isikoff published on July 10, 2021 concerning the death of Jamal Khashoggi and an interview he gave to an investigator working with the 9/11 Families. In July of this year, Isikoff called to ask me for a status report on the case and to ask how the depositions were going. During those calls, I told him that they were going great but that I could not tell him about what came out

during the depositions because of the “gag orders” in this case. The first call was on a Monday and I asked him to give me a couple of days to see if there was anything I could talk about. He called back on a Wednesday and I told him that there was nothing I could discuss about what developed during the depositions, but that Kreindler was planning to file a motion to revisit the state secrets assertion and the application of the protective orders in this case. I exchanged several e-mails with Isikoff, all of which are attached to the accompanying declaration of John Hartney.

- *declare whether they have ever discussed the contents of the Musaed Al Jarrah deposition with Michael Isikoff or anyone acting on his behalf. Any communication must be described in detail, including whether portions of the transcript were read or testimony was described;*
  - I never discussed the content of the Jarrah deposition with Isikoff or anyone acting on his behalf..
- *state every person with whom they shared the Al Jarrah deposition transcript who has not already supplied the Court with a declaration in this investigation; and*
  - None.
- *state every person that they know had access to the deposition transcripts who has not already supplied a declaration in this investigation.*
  - None.

**Commented [SRP1]:** May need to add mention of privilege log after you discuss with John F....did Jim recall that?

**Commented [MB2R2]:** Jim had no idea about the privilege log. I haven't heard back from John F. yet.

I declare under penalty of perjury that the foregoing is true and correct to the best

of my knowledge and belief.

Dated: New York, New York  
September 27, 2021

KREINDLER & KREINDLER LLP

By: /s/ James P. Kreindler  
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